

Statement from the Office of the Hon. Marc Garneau, Minister of Transport
January 24th, 2019

Our government is standing up for Canadian travellers and ensuring that air travellers are treated with fairness and respect.

We are establishing clear standards of treatment and possible compensation for passengers in common situations like delays, denied boarding, lost baggage, and tarmac delays. Unlike the Harper Conservatives who offered no clear, consistent rights for Canadian travellers, we are quickly and effectively getting the job done with our experts and in consultation with Canadians.

Canadian travellers deserve to be protected and that is why we introduced the Transportation Modernization Act. It gave the Minister of Transport the authority to direct the Canadian Transportation Agency (the Agency), in partnership with Transport Canada, to develop new regulations to strengthen air passenger rights. The Agency, along with TC, has developed specific regulations, which are based on consultations with the public and the air industry.

The new approach is establishing clear standards of treatment for air travellers in common situations, as well as financial compensation under certain circumstances. Examples include:

- Denied boarding (including in case of overbooking);
- Delays and cancellations;
- Lost or damaged baggage;
- Tarmac delays over a certain period of time;
- Seating children near a parent or guardian at no extra charge; and
- Ensuring air carriers develop clear standards for transporting musical instruments.

We believe that it is important that Canadians be provided with clear information in plain language about air carriers' obligations, how to seek compensation, and file complaints.

We are also introducing proposed regulations that will require air carriers and service providers to report to the Minister on various aspects of performance related to the traveller experience. Such information may be made publicly available. With this data, we will be able to monitor closely the effectiveness of the implementation of the air passenger rights regulations.

About removing passengers involuntarily, the Minister of Transport has always been very clear that air carriers will not be allowed to remove anyone from a plane involuntarily, once they have boarded, due to overbooking, except for safety, security or medical reasons.

The proposed air passenger rights regulations aim to provide Canadians with predictable recourse and generous compensation should they be unable to board the plane due to overbooking.

About overbooking, the Minister has said many times that that he will not ban overbooking. As part of their business, most air carriers sell more tickets with the assumption that there will be a certain percentage of “no shows” — either because people miss their flight, their previous flight is delayed or they have a change of travel plans. Overbooking allows the air carrier to maximize their flights, thereby facilitating their ability to manage costs of tickets.

While overbooking is common practice, it is a practice we would like to see reduced as much as possible in the air carrier industry, even if the number of people actually denied boarding is relatively low. It is also important to note that some airline companies already have policies in place to prohibit overbooking (ie. WestJet).

I'd also like to add that since December 22 and until February 20th, Canadians are welcome to visit Canada Gazette Part I to comment on Transport Canada's proposed regulations on the collection of air travel performance data from air service providers.

Let me know if you have further questions.

Cheers,
Delphine

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